

Amendment After Final Rejection  
Serial No. 09/430,536

PHA-23,819

**IN THE CLAIMS:**

1. (Currently Amended) A communications system, comprising:  
a server system that stores software applications;  
a broadcast system that broadcasts the software applications; and  
a multiplicity of portable clients that each include a receiver having a tuner that is selectively tunable to receive a selected one of the software applications broadcasted by the broadcast system;

wherein the server system includes a processor for enabling users to access a menu of the software applications for selection; and further comprising:

a two-way communications link separate from said broadcast system broadcasting applications, said two-way communications link being arranged between the server system and each of the multiplicity of multiple clients, wherein the two-way communications link includes a forward channel over which the respective portable client can transmit client data to the server system, and a return channel over which the server system can transmit data to the respective portable client;

wherein the two-way communications link includes means for ~~simultaneous broadcast of sending~~ a plurality of different software applications ~~via a plurality of broadcast channels over the return channel that is in response to a communication from a respective client comprising a selection made in communication with~~ via said return forward channel, and each respective portable client including selective tuning capability to selectively receive any of the plurality of the ~~simultaneously broadcast different~~ software applications over the return channel;

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wherein said two-way communications link is adapted to retransmit predetermined portions of lost/corrupted software application data that has been broadcast by said broadcast system, with a request for retransmission of missing/corrupted data is transmitted over the forward channel and retransmission of the missing/corrupted data is transmitted over the return channel.

2. (Original) The communications system as set forth in Claim 1, wherein the broadcast system is a wireless broadcast system.
3. (Canceled).
4. (Previously presented) The communications system as set forth in Claim 1, wherein each of the portable clients further includes a modem for establishing the two-way communication link.
5. (Original) The communications system as set forth in Claim 4, wherein the modem of each of the portable clients is a wireless modem.
6. (Original) The communications system as set forth in Claim 1, wherein the broadcast system is a satellite direct broadcast system.

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7. (Original) The communications system as set forth in Claim 1, wherein the broadcast system broadcasts the software applications over different channels each occupying a different respective frequency band.
8. (Original) The communications system as set forth in Claim 1, wherein the broadcast system is a satellite broadcast system.
9. (Original) The communications system as set forth in Claim 7, wherein the tuner of the receiver of each of the multiplicity of portable clients is selectively tunable to any selected one of the plurality of different frequency bands in order to receive one or more of the software applications broadcasted by the broadcast system.
10. (Canceled).
11. (Currently Amended) The communications system as set forth in Claim ~~10~~ 9, wherein the two-way communications link between the server system and each of the multiplicity of portable clients is a portable data communications link.
12. (Original) The communications system as set forth in Claim 1, wherein each of the portable clients is a portable data communications drive.
13. (Original) The communications system as set forth in Claim 1, wherein each of the portable clients further includes a user-interface that enables a user to select one of

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the broadcasted software applications for downloading, and a processor for executing the downloaded software application.

14. (Original) The communications system as set forth in Claim 13, wherein:  
the broadcast system broadcasts the software applications over different channels each occupying a different respective frequency band; and,  
the tuner of the receiver of each of the multiplicity of portable clients is selectively tunable to any selected one of the plurality of different frequency bands in order to receive one or more selected one of the software applications broadcasted by the broadcast system.

15. (Canceled).

16. (Currently Amended) The communications system as set forth in Claim ~~15~~ 14, wherein the broadcast system is a satellite broadcast system.

17. (Original) The communications system as set forth in Claim 16, wherein each of the portable clients further includes a modem for establishing the two-way communication link.

18. (Currently Amended) The communications system as set forth in Claim ~~15~~ 14, wherein the system data includes instructions for supervising the downloading of software applications.

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19. (Original) The communications system as set forth in Claim 15, wherein the client data includes requests for unrecoverable software application data and the system data includes the unrecoverable software application data.
20. (Original) The communications system as set forth in Claim 15, wherein the client data includes client software download request data, and the system data includes download control data issued in response to the client software download request data.
21. (Previously presented) A portable data communications device, comprising
- a receiver that includes a tuner that is selectively tunable to receive a selected one of a plurality of software applications being simultaneously broadcasted by a broadcast system over a plurality of channels that are selectively in communication with a return channel from the broadcast system;
  - a user-interface that enables a user to select one of the broadcasted software applications from a menu for downloading;
  - a processor for executing the downloaded software application; and
  - a modem for establishing a two-way communications link with a network control system, said two-way communications link being separate from the broadcast system, wherein the two-way communications link includes a forward channel over which the portable data communications device can transmit client data to the network control system, and the return channel over which the network control system can

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transmit data to the portable communications device selected from a plurality of channels;

wherein said two-way communications link is adapted to retransmit predetermined portions of lost/corrupted software application data that have been broadcast by said network control system, with a request for retransmission of missing/corrupted data is transmitted over the forward channel and retransmission of the missing/corrupted data is transmitted over the return channel.

22. (Original) The portable data communications device as set forth in Claim 21, further comprising a control program executed by the processor for controlling the tuner.

23. (Canceled).

24. (Original) The portable data communications device as set forth in Claim 21, wherein the broadcast system is a satellite direct broadcast system.

25. (Previously presented) The portable data communications device as set forth in Claim 21, wherein the modem is a wireless modem.

26. (Original) The portable data communications device as set forth in Claim 25, wherein the broadcast system is a satellite direct broadcast system.

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27. (Previously presented) The portable communications device as set forth in Claim 21, wherein the system data includes instructions for supervising the downloading of software applications.

28. (Original) The portable data communications device as set forth in Claim 23, wherein the client data includes requests for unrecoverable software application data and the system data includes unrecoverable software application data.

29. (Previously presented) The portable data communications device as set forth in Claim 21, wherein the client data includes client software request data, and the system data includes download control data issued in response to the client software downloads request data.

30. (Original) The portable data communications device as set forth in Claim 21, wherein:

the broadcast system broadcasts the software applications over different channels each occupying a different respective frequency band; and,

the tuner is selectively tunable to any selected one of the plurality of different frequency bands in order to receive the selected one of the software applications broadcasted by the broadcast system.

31. (Previously presented) A method of doing business comprising:  
storing software applications on a server system;

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broadcasting the software applications to a multiplicity of independent portable clients that each include a receiver having as tuner that is selectively tunable to receive a selected one of the plurality of software applications being simultaneously broadcasted by the broadcast system over a return channel from the broadcast system; and

charging a user of the portable clients a fee for receiving a selected one of the software applications, wherein the fee is selected from the group consisting of time-of-usage basis, a subscription basis, a per applications downloaded basis or a per transaction basis; and

wherein the server system receives a request for broadcasting the software applications by the portable clients over communication channels separate from the broadcast system; and

wherein requests for retransmission of missing/corrupted software application data is made by at least one of the portable clients over the communication channels separate from the broadcast system, and a retransmission of the missing/corrupted software application data is made over the communication channels separate from the broadcast system.

32. (Previously presented) The method according to claim 31, wherein said communication channels separate from broadcast system from which the server receives a request from at least one of the portable clients comprises forward and return channels via a PSTN (Public Switched Telephone Network) and CTN (Cellular Telephone Network).



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**Please add the following new claim:**

33. (New) The portable data communications device according to claim 21, wherein said two-way communications link is adapted to retransmit predetermined portions of lost/corrupted software application data that have been broadcast by said network control system, with a request for retransmission of missing/corrupted data is transmitted over the forward channel and retransmission of the missing/corrupted data is transmitted over the return channel without retransmission of missing/corrupted data by the broadcast system.